

A RESOLUTION

02- R -1740

BY TRANSPORTATION COMMITTEE

A RESOLUTION GIVING CONSENT AND APPROVAL OF THE SUBLEASE BETWEEN DELTA AIR LINES, INC., AS LANDLORD, AND THE UNITED STATES OF AMERICA (USA) FEDERAL AVIATION ADMINISTRATION (FAA), AS TENANT, FOR A PORTION OF THAT LAND KNOWN AS THE DELTA GENERAL OFFICE LOCATED AT 1030 DELTA BOULEVARD IN FULTON COUNTY, CITY OF ATLANTA, GEORGIA; AUTHORIZING THE AVIATION GENERAL MANAGER TO EXECUTE AN APPROPRIATE INSTRUMENT EVIDENCING SUCH CONSENT AND APPROVAL ON BEHALF OF THE CITY OF ATLANTA, THE GROUND LEASE LANDLORD; AND FOR OTHER PURPOSES.

WHEREAS, the CITY OF ATLANTA as Landlord, and Delta Air Lines, Inc., as tenant, are parties to the Delta Air Lines, Inc. General Office Area Expansion Ground Lease Agreement dated January 4, 1977, under which Delta leases certain premises at Hartsfield Atlanta International Airport, on which Delta constructed, and now operates, office buildings, the said Delta General Offices; and

WHEREAS, Delta Air Lines desires to sublease a portion of the land, to the United States of America Federal Aviation Administration, ("FAA"), to accommodate a Low Level Wind Alert Sensor (LLWAS); and

WHEREAS, the United States of America Federal Aviation Administration is ready, willing, and able to assume the obligations thereunder in full; and

WHEREAS, the "Ground Lease" requires formal consent by the City of Atlanta to the sublease, which may not be unreasonably withheld, and Delta has requested such consent, and the Aviation General Manager finds no basis for denying such consent, as hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA that formal consent and approval be and hereby is given for the sublease between Delta Air Lines, Inc. and the United States of America Federal Aviation Administration, and that the Aviation General Manager be and he hereby is authorized to execute on behalf of the City of Atlanta an appropriate instrument evidencing such consent and approval.

BE IT FURTHER RESOLVED that the City Attorney be and hereby is directed to prepare an appropriate instrument to evidence said consent and approval, for execution by the Aviation General Manager.

BE IT FINALLY RESOLVED that said instrument shall not become binding upon the City of Atlanta, and the City of Atlanta shall incur no obligation nor liability thereunder until the same has been signed by the Aviation General Manager and delivered to Delta Air Lines, Inc. and The United States of America Federal Aviation Administration.

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: Greg Pridgeon

General Manager's Signature: NCS

From: Originating Dept. Aviation

Committees of Purview: TC

Committee Meeting Dates: 10/16/02

Contact: Anita Williams (404) 530-6600

Committee Deadline: 10/04/02

Council Meeting: 10/21/02

CAPTION:

A RESOLUTION GIVING CONSENT AND APPROVAL OF THE SUBLEASE BETWEEN DELTA AIR LINES AS LANDLORD, AND THE UNITED STATES OF AMERICA FEDERAL AVIATION ADMINISTRATION (FAA), AS TENANT, FOR A PORTION OF THAT LAND KNOWN AS THE DELTA AIR LINES, INC. GENERAL OFFICE LOCATED AT 1030 DELTA BOULEVARD, IN FULTON COUNTY, CITY OF ATLANTA, GEORGIA; AUTHORIZING THE AVIATION GENERAL MANAGER TO EXECUTE AN APPROPRIATE INSTRUMENT EVIDENCING SUCH CONSENT AND APPROVAL ON BEHALF OF THE CITY OF ATLANTA, THE GROUND LEASE LANDLORD; AND FOR OTHER PURPOSES.

BACKGROUND/DISCUSSION:

Delta Air Lines, Inc. is proposing to sublease a portion of its General Office Ground Lease premises located at 1030 Delta Boulevard, Atlanta, Georgia to the United States of America Federal Aviation Administration (FAA). The Ground Lease between the City of Atlanta and Delta Air Lines, Inc. requires the formal consent and approval of the sublease by the City of Atlanta, as owner of the Ground Lease. This resolution Authorizes the Aviation General Manager to execute the consenting document.

FINANCIAL IMPACT: N/A

SOURCE: N/A

Mayor's Staff Only:

Received by Mayor's Office: 9/25/02

(Date)

Reviewed: JS

(Initials)

(Date)

Submitted to Council: _____

(Date)

Action by Committee: _____ Approved _____ Adversed _____ Held

_____ Amended _____ Substitute _____ Referred _____ Other